

AMENDED IN SENATE FEBRUARY 24, 2004

AMENDED IN ASSEMBLY MAY 5, 2003

AMENDED IN ASSEMBLY MARCH 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 987

Introduced by Assembly Member Leslie Keene

February 20, 2003

~~An act to add Section 5071.2 to the Vehicle Code, relating to vehicles.~~
An act to amend Section 42285.3 of the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 987, as amended, ~~Leslie Keene. Vehicles: special interest license plates: HIV and AIDS education and care programs School finance: necessary small schools.~~

(1) Existing law provides that a unified school district that meets certain criteria is eligible to receive apportionments pursuant to the schedules for a necessary small school and a necessary small high school, as specified. Existing law requires a school district that receives those apportionments to report to the State Department of Education and the Department of Finance by July 1, 2001, concerning the plan of the district to address its need for additional funding after the January 1, 2005, date of repeal of this authority.

This bill would require a school district that receives those apportionments to make that report by July 1, 2004. The bill would require the department to review those reports and make

recommendations concerning the need for additional funding to the Legislature by April 1, 2005.

(2) Under existing law, these provisions become inoperative on July 1, 2004, and are repealed as of January 1, 2005. This bill would instead make those provisions inoperative on July 1, 2006, and repeal as of January 1, 2007.

This bill would declare that it would take effect immediately as an urgency statute.

~~Existing law requires the Department of Motor Vehicles to issue special interest license plates in lieu of regularly issued plates to any person applying for the special interest plates and paying certain fees. Existing law prohibits the department from issuing any special interest license plate until, among other things, the participating organization has received and submitted to the department not less than 7,500 applications for that particular plate within certain time limitations.~~

~~This bill would require the department to design and issue under the above described participation procedure special interest HIV and AIDS education and care license plates, as specified. The bill would require certain funds generated from the issuance of the special interest license plates to be deposited in the Motor Vehicle Account in the State Transportation Fund. The bill would require of a described portion the money deposited in the account under these provisions to be allocated, upon appropriation by the Legislature, for distribution through grants administered by the Office of AIDS in the California Department of Health Services to fund HIV and AIDS education and care among communities of color in the state. Other funds deposited in the account under these provisions, upon appropriation, would be administered by the Office of AIDS to fund grant programs for hospice care, with emphasis on programs that support facilities providing care of individuals dying from AIDS.~~

~~Vote: majority $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.~~

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. The Legislature finds and declares the~~
- 2 ~~SECTION 1. Section 42285.3 of the Education Code is~~
- 3 ~~amended to read:~~
- 4 ~~42285.3. (a) Notwithstanding subdivision (b) of Section~~
- 5 ~~42280 or any other provision of law, a unified school district that~~

1 is the only school district in a county, that has received more than
2 two million seven hundred thousand dollars (\$2,700,000) in
3 federal Forest Reserve funds in the 1992–93 school year and less
4 than one million three hundred thousand dollars (\$1,300,000) in
5 federal Forest Reserve funds in the 1996–97 school year, and that
6 has fewer than 4,501 units of average daily attendance in the
7 1997–98 school year or in subsequent school years shall be eligible
8 to receive apportionments pursuant to the schedules for a
9 “necessary small school” and a “necessary small high school,” as
10 set forth in this article, for up to the total number of schools in the
11 district that would have met the criteria for classification as a
12 necessary small school or a necessary small high school in the
13 1996–97 fiscal year, if the district had fewer than 2,501 units of
14 average daily attendance in the 1996–97 fiscal year, except that
15 this section ~~shall~~ *does* not apply in ~~any~~ a school year in which an
16 otherwise eligible school district receives more than two million
17 dollars (\$2,000,000) in federal Forest Reserve funds.

18 (b) A *unified* school district that receives apportionments
19 pursuant to ~~the schedules for a necessary small school and a~~
20 ~~necessary small high school under~~ subdivision (a) shall report to
21 the ~~State Department of Education~~ *department* and the
22 Department of Finance by July 1, ~~2001~~ 2004, concerning the
23 ~~district’s plan to address of the district’s~~ *district to address its* need
24 for additional funding when this section is repealed.

25 (c) *The department shall review the report required by*
26 *subdivision (b) and make recommendations concerning the need*
27 *for additional funding to the Legislature by April 1, 2005.*

28 (d) This section shall become inoperative on July 1, ~~2004~~ 2006,
29 and, as of January 1, ~~2005~~ 2007, is repealed, unless a later enacted
30 statute, that is ~~enacted~~ *becomes operative on or before* January 1,
31 ~~2005~~ 2007, deletes or extends the dates on which it becomes
32 inoperative and is repealed.

33 SEC. 2. *This act is an urgency statute necessary for the*
34 *immediate preservation of the public peace, health, or safety*
35 *within the meaning of Article IV of the Constitution and shall go*
36 *into immediate effect. The facts constituting the necessity are:*

37 *In order to ensure the continuation of funding of certain schools*
38 *and high schools in certain unified school districts as necessary*
39 *small schools and necessary small high schools, it is necessary that*
40 *this act take effect immediately. following:*

1 ~~(a) Human immunodeficiency virus (HIV) and acquired~~
2 ~~immune deficiency syndrome (AIDS) cases in communities of~~
3 ~~color are increasing at a disproportionate rate.~~

4 ~~(b) The California Department of Health Services, Office of~~
5 ~~AIDS, reports that as of April 30, 2002, the cumulative number of~~
6 ~~reported HIV and AIDS cases by race, ethnicity, and age show that~~
7 ~~40.5 percent of the adult and adolescent cases and 72.5 percent of~~
8 ~~the pediatric cases occurred in people of color.~~

9 ~~(c) African-Americans represent approximately 6.7 percent of~~
10 ~~California's population yet they represent 17.4 percent of the total~~
11 ~~reported HIV and AIDS cases in California.~~

12 ~~(d) African-Americans represent 12 percent of the American~~
13 ~~population yet they represent 37 percent of total American HIV~~
14 ~~and AIDS cases.~~

15 ~~(e) African-American children represent close to two-thirds of~~
16 ~~all reported pediatric HIV and AIDS cases and Latinos represent~~
17 ~~20.5 percent of the total reported HIV and AIDS cases in~~
18 ~~California.~~

19 ~~SEC. 2.—Section 5071.2 is added to the Vehicle Code, to read:~~

20 ~~5071.2.—(a) The department shall design and issue under~~
21 ~~Section 5060 special interest HIV and AIDS license plates~~
22 ~~depicting California in gold color with a red ribbon wrapped~~
23 ~~around the state, and the words "Compassion Toward a Cure"~~
24 ~~written along the bottom of the plate. Any person described in~~
25 ~~Section 5101, upon payment of the additional fee set forth in~~
26 ~~subdivision (b), may apply for and be issued a set of the special~~
27 ~~license plates authorized under this section in lieu of the regular~~
28 ~~license plates.~~

29 ~~(b) In addition to the regular fees for an original registration, a~~
30 ~~renewal of registration, or a transfer or substitution of license~~
31 ~~plates, the following additional fees shall be paid for the issuance,~~
32 ~~renewal, retention, transfer, or substitution of the special license~~
33 ~~plates authorized under this section:~~

34 ~~(1) For the original issuance of the plates, fifty dollars (\$50).~~

35 ~~(2) For a renewal of registration of the plates, or retention of the~~
36 ~~plates if renewal is not required, forty dollars (\$40).~~

37 ~~(3) For transfer of the plates to another vehicle, fifteen dollars~~
38 ~~(\$15).~~

39 ~~(4) For each substitute replacement plate, thirty-five dollars~~
40 ~~(\$35).~~

1 ~~(c) (1) After deducting all administrative costs incurred by it~~
2 ~~to implement this section, the department shall deposit the first two~~
3 ~~hundred fifty thousand dollars (\$250,000) of additional revenue~~
4 ~~derived each fiscal year from the issuance, renewal, retention,~~
5 ~~transfer, and substitution of the special license plates in the Motor~~
6 ~~Vehicle Account in the State Transportation Fund.~~

7 ~~(2) Upon appropriation by the Legislature, the money~~
8 ~~deposited in the account under paragraph (1) shall be allocated to~~
9 ~~the State Department of Health Services for distribution through~~
10 ~~grants administered by the Office of AIDS in the California~~
11 ~~Department of Health Services to fund HIV and AIDS education~~
12 ~~and care grant programs among communities of color.~~

13 ~~(d) (1) All revenue derived under this section that remains~~
14 ~~after compliance with paragraph (1) of subdivision (c) shall also~~
15 ~~be deposited in the account. Those funds may only be appropriated~~
16 ~~from that account in a fiscal year when the amount deposited in the~~
17 ~~account under this paragraph exceeds five hundred thousand~~
18 ~~dollars (\$500,000) on the immediately preceding December 31.~~

19 ~~(2) Upon appropriation by the Legislature, the money~~
20 ~~deposited in the account under paragraph (1) shall be allocated to~~
21 ~~the California Department of Health Services to be administered~~
22 ~~by the Office of AIDS to fund grant programs for hospice care,~~
23 ~~particularly, but not exclusively, those programs that emphasize~~
24 ~~support of facilities providing care of individuals dying from~~
25 ~~AIDS. Each grant shall fund the creation or expansion of facilities~~
26 ~~providing the service described in this paragraph and the amount~~
27 ~~of a grant shall range between twenty-five thousand dollars~~
28 ~~(\$25,000) to one hundred fifty thousand dollars (\$150,000).~~

29 ~~(e) All qualifying private, nonprofit entities that are exempt~~
30 ~~from taxation under Section 501(c)(3) of the Internal Revenue~~
31 ~~Code are entitled to participate equally, without regard to religious~~
32 ~~affiliation or the lack thereof, in the grant programs funded under~~
33 ~~subdivisions (c) and (d).~~